



is NXP's position that deficiencies with Redstone's complaint, including reliance on ARM product documents instead of NXP product documents, hamper NXP's ability to understand what is accused of infringing and how it allegedly infringes, further frustrating the early production sought by Redstone.	
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As this case was filed in the Midland Division, there is some confusion over which standing order governs this case. The Parties cite to the “OGP 4.4,” referring to Judge Albright’s January 23, 2024, Standing Order Governing Patent Proceedings (OGP) 4.4—Patent Cases, which governs patent cases before Judge Albright and Judge Gilliland. This case, however, is assigned to Judge Counts who has an August 2, 2022, Standing Order Governing Patent Proceedings. As this case is pending before Judge Counts, the Parties are directed to follow Judge Count’s August 2, 2022, Standing Order Governing Patent Proceedings.

Judge Counts’s Standing Order Governing Patent Proceedings provides a general stay of pre-*Markman* discovery with limited exceptions. *See* § II. Where there is no agreement of the Parties, and the Parties do not seek venue, jurisdictional, or claim-construction-related discovery, only “exceptional circumstances” warrant pre-*Markman* discovery. *Id.* After reviewing the dispute and hearing oral argument, the Court finds that there are no exceptional circumstances here which warrant the requested pre-*Markman* discovery. Accordingly, the Court **DENIES** all requested relief.

**SO ORDERED.**

**SIGNED** this 23rd day of August, 2024.

  
 DEREK T. GILLILAND  
 UNITED STATES MAGISTRATE JUDGE